

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA) MATTICE/CARTER
)
v.) CASE NO. 1:09-CR-66
)
COURTNEY WHIDDON)

O R D E R

On September 21, 2009, Magistrate Judge William B. Mitchell Carter filed a Report and Recommendation recommending (a) the Court accept Defendant Courtney Whiddon's ("Defendant") plea of guilty to Count One of the Superseding Indictment in exchange for the undertakings made by the government in the written plea agreement; (b) the Court adjudicate Defendant guilty of the charges set forth in Count One of the Superseding Indictment; (c) that a decision on whether to accept the plea agreement be deferred until sentencing; and (d) Defendant shall be taken into custody pending sentencing in this matter (Doc. 63). Neither party filed an objection within the given ten days. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's plea of guilty to Count One of the Superseding Indictment, in exchange for the undertakings made by the government in the written plea agreement is **ACCEPTED**;
- (2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Superseding Indictment;
- (3) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and

(4) Defendant **SHALL BE TAKEN INTO CUSTODY** pending sentencing on
Monday, December 21, 2009, at 10:30 am.

SO ORDERED.

ENTER:

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE